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In re Application of
Robert M. Goodman et al.
Application No. 09/447,505
Filed: November 23, 1999
Attorney Docket No. 16518.076

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 18, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed March 20, 2001, which set a shortened statutory period for reply of (1) ONE MONTH month. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 21, 2001.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r.Pats. 1988). Accordingly, since the \$1960 extension of time submitted with the petition on July 18, 2002 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

The file is being forwarded to Technology Center AU 1638 for further processing.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

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for Patent Examination Policy